

DATE ISSUED: November 1, 2007

REPORT NO. PC-07-163

ATTENTION: Planning Commission
Agenda of November 8, 2007

SUBJECT: ADOPTION OF THE 2007 CALIFORNIA BUILDING CODE AND
ASSOCIATED CODES AND LOCAL MUNICIPAL CODE
AMENDMENTS

REFERENCE: Board of Building Appeals and Advisors Code Adoption and Code
Change Report from the October 30, 2007 meeting.

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of amendments to the Land Development Code related to adoption of the 2007 California Building, Electrical, Fire, Mechanical and Plumbing Code (Chapter 5, Article 5; Chapter 11 Article 3 Div 1; Chapter 12 Article 1 Division 4; Chapter 12 Article 9 Division 1 through 4; Chapter 14 Article 5; Chapter 14 Article 6; Chapter 14 Article 7)?

Staff Recommendation:

1. Recommend to the City Council adoption of the 2007 edition of the California Building Code, California Electrical Code, California Fire Code, California Mechanical Code and California Plumbing Code.
2. Recommend to the City Council approval of amendments to the Municipal Code related to the City's Building, Electrical, Plumbing and Mechanical regulations as well as the Fire Code (Chapter 5, Article 5; Chapter 11 Article 3 Div 1; Chapter 12 Article 1 Division 4; Chapter 12 Article 9 Division 1 through 4; Chapter 14 Article 5; Chapter 14 Article 6; Chapter 14 Article 7)

Other Recommendations:

Technical Advisory Committee (TAC) - On October 10, 2007 an informational presentation was provided to the TAC. No recommendations were made due to a lack of a quorum.

Board of Building Appeals and Advisors: On October 30, 2007 the board voted 9-0 to recommend that the City Council adopt the State mandated Codes as well as associated amendments to the Municipal code.

Environmental Review: This activity is exempt from CEQA pursuant to State CEQA guidelines Section 15061 (b) (3).

Fiscal Impact: Administration of the Building, Electrical, Plumbing and Mechanical regulations as well as the Fire Code for new construction or alterations to existing buildings is based upon a fee for service paid for by applicants in the development process.

Housing Impact: Adoption of state mandated building regulations could minimally impact construction cost due to new Plumbing, Electrical and Mechanical regulations as well as new California Fire Code regulations. The 2007 California Building Code is based on the 2006 International Building Code and may result in a reduction in the cost of construction since the new code is less restrictive than the 2001 California Building Code.

BACKGROUND

At it's January 30, 2007 meeting, the California Building Standards Commission completed adoption of new building standards that have been published in the 2007 editions of the California Building, Electrical, Fire, Mechanical, Plumbing, Historical and Existing Building Codes. The 2007 building standards were published on July 4, 2007, and pursuant to State law will be in effect on a statewide basis 180 days after publication on January 1, 2008. Local jurisdictions are mandated to enforce the codes locally for permit applications accepted on or after January 1, 2008.

Local amendments to the State's building standards reasonably necessary due to local climactic, geological or topographical conditions have been developed and are proposed as amendments to chapter 5 and 14 of the Municipal Code. The findings made shall be approved by the local decision making body and be filed with the California Building Standards Commission prior to the effective date. We expect local amendments to be in effect on or after the first week in February, 2008 due to processing delays.

The administrative requirements of the State code are not being adopted; however the administrative regulations in chapter 12 of the Municipal Code are being updated for consistency with the new codes. Local findings are not required for administrative regulations since they are not building standards.

Currently the City's building and fire safety laws are incorporated in the San Diego Municipal Code as shown below:

1. Chapter 5 Article 5 contains the Fire Code.
2. Chapter 11 Article 1 includes the Board of Building Appeals and Advisors regulations.
3. Chapter 11 Article 2 Division 2 includes procedures for unsafe buildings.
4. Chapter 12 Article 9 Division 1 outlines general construction permit authority and procedures.
5. Chapter 12 Article 9 Division 2 and Chapter 14 Article 5 contain building permit procedures and the Building Code amendments.
6. Chapter 12 Article 9 Division 3 and Chapter 14 Article 6 contain electrical permit procedures and the Electrical Code amendments.
7. Chapter 12 Article 9 Division 4 and Chapter 14 Article 7 contain plumbing and mechanical code permit procedures and the Plumbing and Mechanical Code amendments.

DISCUSSION

As a part of the update process due to the pending implementation of the 2007 California building standards, the Development Services Department has partnered with Fire-rescue Department in developing modifications or additions to the California Building and Fire Codes. A limited number of local modifications to the 2007 edition of the California Plumbing, Mechanical and Electrical Code are also proposed.

The State of California selected the 2006 edition of the International Building Code and International Fire Code as a basis for the 2007 edition of the California Building Code and California Fire Code. The State however decided to adopt the 2006 edition of the Uniform Mechanical Code and Uniform Plumbing Code published by IAPMO in lieu of the 2006 International edition published by ICC.

The International Building Code was developed as a result of consolidating the prior three model codes legacy codes in the United States and as a result the least common denominator or requirements not completely understood by the rest of the nation were modified affecting California Practice. Requirements for Geotechnical reports and Special Inspection fall under this category.

The proposed Municipal Code amendments seek to accomplish the following goals:

1. Reconciling conflicts between the California Building Code and the California Plumbing Code and California Mechanical Code.

The State chose to use the 2006 Uniform Mechanical Code and Uniform Plumbing Code as a basis of the 2007 edition of the California Mechanical and California Plumbing Code rather than the 2006 edition of the International Mechanical Code and International Plumbing Code. This decision has caused correlation issues with ventilation requirements

and plumbing requirements in the California Building Code.

2. Correcting errors and omissions in ASCE 7-05, "Minimum Design Loads for Buildings and Other Structures", a standard adopted by the 2007 California Building Code.

The 2006 IBC relies heavily on adoption by reference of standards such as ASCE 7-05 and ACI 318-05 which includes certain significant omissions or errors that have been corrected and approved but will not be published for several years. These errors and omissions can not be corrected by the State and are being corrected by various California jurisdictions as proposed by the City of San Diego. ASCE 7 will omit the next cycle and will be next published in 2010. ACI 318-08 will not be adopted and in effect until 2011 under the 2010 California Building Code.

3. Updating foundation and geotechnical requirements necessary due to local conditions and current practice.
4. Reformatting Chapter 5 Article 5 and Chapter 14 Article 5 so that division numbers correlate with chapter numbers in the 2007 California Fire and Building code respectively.
5. Updating the Plumbing and Mechanical regulations in chapter 14 to be consistent with the 2007 California Mechanical and Plumbing Code.
6. Updating the local Fire Code modifications and additions, and the building regulations, in Chapter 5 Article 5 to adopt certain recently approved regulations in the supplement to the fire code.

The State Fire Marshal and the Department of Housing and Community Development underwent an aggressive and compressed one year State adoption process in lieu of a three year process which resulted in significant fire code omissions or corrections that were approved into the 2007 supplement to the International Fire Code. Furthermore, certain Fire policies are being codified as local modifications to the Fire Code.

7. To update chapter 11 and 12 of the Municipal Code for consistency with the administrative requirements of the 2007 California Building Code, as well for consistency with the current review and inspection process for building permits and other associated construction permits.

A comprehensive analysis of the proposed changes is attached in the report to the Board of Building Appeals and Advisors as well as the proposed Fire Code changes.

The Board of Appeals has reviewed the proposed amendments and the proposed changes have been circulated to various stakeholders for their input. To date we have received input from the Structural Engineers Association of San Diego and have made modification to our proposed changes in proposed Chapter 14 Article 5 Division 37 as well as proposed changes to Section

121.0403.

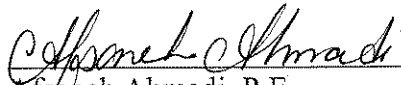
CONCLUSION

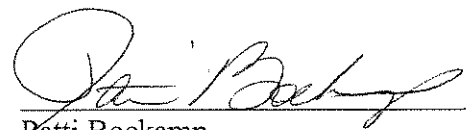
Staff recommends that the Planning Commission recommend to the City Council approval of the proposed draft regulations in accordance with state law with the addition of the proposed local amendments.

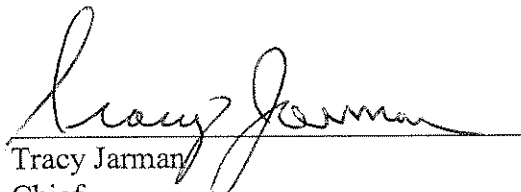
ALTERNATIVES

1. Recommend that the City Council adopt the state-mandated building standards with proposed local modifications and additions.
2. Recommend that the City Council deny and/or modify the proposed local amendments to the Municipal Code which will result in State mandated regulations being in effect without local modifications or additions.

Respectfully submitted,


Afsaneh Ahmadi, P.E.
Deputy Director/Chief Building Official
Development Services Department


Patti Boekamp
Director
Development Services Department


Tracy Jarman
Chief
Fire-rescue Department

Attachments:

1. Proposed changes to the 2007 California Fire Code added to chapter 5 of the Municipal Code.
2. Proposed changes to the 2007 editions of the California Building Code, Electrical Code, Mechanical Code and Plumbing Code as well as updates to chapter 11, 12 and 14 of the Municipal Code.
3. 2007 California Code Adoption Board of Building Appeals and Advisors Report.
4. Errata to proposed Fire Code changes